

ADDITION TO WILDERNESS BATTLEFIELD, VIRGINIA

OCTOBER 4, 1999.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. YOUNG of Alaska, from the Committee on Resources,
submitted the following

R E P O R T

[To accompany H.R. 1665]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1665) to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation, having considered the same, report favorably thereon with an amendment and recommend that the bill as amended do pass.

The amendment is as follows:

Strike out all after the enacting clause and insert in lieu thereof the following:

SECTION 1. ADDITION TO WILDERNESS BATTLEFIELD, VIRGINIA.

(a) REMOVAL OF CONDITION ON BATTLEFIELD ADDITION.—Section 2(a)(2) of Public Law 102-541 (16 U.S.C. 425k note; 106 Stat. 3565) is amended by striking “: *Provided,*” and all that follows through “Interior”.

(b) AUTHORIZED METHODS OF ACQUISITION.—

(1) LIMITATIONS ON ACQUISITION METHODS.—Section 3(a) of Public Law 101-214 (16 U.S.C. 425l(a)) is amended—

(A) by striking “The Secretary” and inserting “(1) Except as provided in paragraph (2), the Secretary”; and

(B) by adding at the end the following new paragraph:

“(2) The lands designated ‘P04-04’ on the map referred to in section 2(a) numbered 326-40072E/89/A and dated September 1990 may be acquired only by donation, and the lands designated ‘P04-01’, ‘P04-02’, and ‘P04-03’ on such map may be acquired only by donation, purchase from willing sellers, or exchange.”

(2) REMOVAL OF RESTRICTION ON ACQUISITION OF ADDITION.—Section 2 of Public Law 102-541 (16 U.S.C. 425k note; 106 Stat. 3565) is amended by striking subsection (b).

(c) TECHNICAL CORRECTION.—Section 2(a) of Public Law 101-214 (16 U.S.C. 425k(a)) is amended by striking “Spotslyvania” and inserting “Spotsylvania”.

PURPOSE OF THE BILL

The purpose of H.R. 1665 is to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as donation.

BACKGROUND AND NEED FOR LEGISLATION

This bill allows the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia by purchase or exchange as well as donation. Currently, the Park Service can acquire land for the Wilderness Battlefield only by donation. This has prevented willing sellers to dispose of property that the Park Service desires to include in the Battlefield boundaries. H.R. 1665 would resolve this problem by allowing the Park Service to acquire additional lands by purchase or exchange.

The Secretary of the Interior was formerly authorized (Public Law 101–214) to acquire land and interests in land for the Wilderness Battlefield by donation, purchase with donated or appropriated funds, or by exchange. At the urging of the Secretary of the Interior, this authority was restrained in 1992 (Public Law 102–541) which allowed the Park Service to acquire lands for the battlefield only by donation. Recently, the owners of three tracts of land have expressed their desire to sell property to the Park Service within the boundaries of the Wilderness Battlefield. Enactment of H.R. 1665 would allow the Park Service to acquire this land by purchase.

COMMITTEE ACTION

H.R. 1665 was introduced on May 4, 1999, by Congressman Herbert Bateman (R–VA). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks and Public Lands. On July 20, 1999, the Subcommittee held a hearing on the bill where the Administration testified in favor of the bill. On August 5, 1999, the Subcommittee met to consider the bill. Congressman James V. Hansen offered an amendment to make small technical corrections and add a “willing seller” provision. The amendment was adopted by voice vote and the bill was then ordered favorably reported to the Full Committee by voice vote. On September 22, 1999, the Full Committee met to consider the bill. No further amendments were offered and the bill, as amended, was then ordered favorably reported to the House of Representatives by voice vote.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of Rule XIII of the Rules of the House of Representatives, the Committee on Resources’ oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8 of the Constitution of the United States grants Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of Rule XIII of the rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in revenues or tax expenditures.

3. Government Reform Oversight Findings. Under clause 3(c)(4) of Rule XIII of the rules of the House of Representatives, the Committee has received no report of oversight findings and recommendations from the Committee on Government Reform on this bill.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

U.S. CONGRESS,
CONGRESSIONAL BUDGET OFFICE,
Washington, DC, September 29, 1999.

Hon. DON YOUNG,
*Chairman, Committee on Resources,
House of Representatives, Washington, DC.*

DEAR MR. CHAIRMAN: The Congressional Budget Office has prepared the enclosed cost estimate for H.R. 1665, a bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation.

If you wish further details on this estimate, we will be pleased to provide them. The CBO staff contact is Deborah Reis.

Sincerely,

BARRY B. ANDERSON
(For Dan L. Crippen, Director).

Enclosure

H.R. 1665—A bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation

H.R. 1665 would authorize the National Park Service (NPS) to purchase about 525 acres of land for addition to the Wilderness Battlefield unit of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park in Virginia. Under existing law, the NPS could acquire this property only by donation, and the acreage could only be included within the boundary of the battlefield after such donation.

Based on information provided by the NPS, and assuming appropriation of the necessary amounts within the next two years, CBO estimates that the federal government would pay about \$7 million to acquire the three parcels comprising the 525 acres. Once the property has been acquired, additional funds of less than \$500,000 would be needed over the next several years to provide for pedestrian access, fencing, exhibits, and other site development activities.

H.R. 1665 would not affect direct spending or receipts; therefore, pay-as-you-go procedures would not apply. The bill contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would have no significant impact on the budgets of state, local, or tribal governments.

On June 23, 1999, CBO prepared a cost estimate for S. 955, a bill to allow the National Park Service to acquire certain land for addition to the Wilderness Battlefield in Virginia, as previously authorized by law, by purchase or exchange as well as by donation. S. 955 was ordered reported by the Senate Committee on Energy and Natural Resources on June 16, 1999. The CBO estimates for S. 955 and H.R. 1665 are identical.

The CBO staff contact is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL, OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3(e) of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (existing law proposed to be omitted is enclosed in black brackets, new matter is printed in italics, existing law in which no change is proposed is shown in roman):

SECTION 2 OF THE ACT OF OCTOBER 27, 1992

AN ACT To expand the boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park, Virginia

SEC. 2. ADDITION TO WILDERNESS BATTLEFIELD.

(a) Section (2) of Public Law 101-214 (16 U.S.C. 425k(a)) is amended—

(1) * * *

(2) by striking “1989.” and inserting in lieu thereof “1989, and the map entitled ‘Fredericksburg and Spotsylvania National Military Park,’ numbered 326-40072E/89/A and dated September 1990.” [*Provided*, That this subsection shall not be effective until the lands included within the proposed new boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park pursuant to this Act have been donated to the Secretary of the Interior.

[(b) Lands included within the boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park pursuant to this section may be acquired only by donation.]

ACT OF DECEMBER 11, 1989

AN ACT To expand the boundaries of the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park near Fredericksburg, Virginia

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SEC. 2. REVISION OF PARK BOUNDARIES.

(a) BOUNDARY REVISION.—In furtherance of the purposes of the Act entitled “An Act to establish a national military park at and near Fredericksburg, Virginia, and to mark and preserve historical points connected with the battles of Fredericksburg, Spotsylvania Court House, Wilderness, and Chancellorsville, including Salem Church, Virginia”, approved February 14, 1927 (44 Stat. 1091), the Fredericksburg and Spotsylvania County Battlefields Memorial National Military Park (hereinafter in this Act referred to as the “park”) shall hereafter comprise the lands and interests in lands within the boundary generally depicted as “Proposed Park Boundary” on maps entitled “Fredericksburg and [Spotslyvania] *Spotsylvania* National Military Park”, numbered 326–40075D/89, 326–40074E/89, 326–40069B/89, 326–40070D/89, 326–40071C/89, [326–40072E/89,] 326–40076A/89, and 326–40073D/89, and dated June [1989.] 1989, and the map entitled “Fredericksburg and *Spotsylvania* National Military Park,” numbered 326–40072E/89/A and dated September 1990. The maps shall be on file and available for public inspection in the Office of the National Park Service, Department of the Interior.

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SEC. 3. ACQUISITIONS AND CONVEYANCES.

(a) ACQUISITION.—[The Secretary] (1) *Except as provided in paragraph (2), the Secretary* is authorized to acquire lands and interests in lands within the park, by donation, purchase with donated or appropriated funds or by exchange.

(2) *The lands designated “P04–04” on the map referred to in section 2(a) numbered 326–40072E/89/A and dated September 1990 may be acquired only by donation, and the lands designated “P04–01”, “P04–02”, and “P04–03” on such map may be acquired only by donation, purchase from willing sellers, or exchange.*